

## **DEBRIS REMOVAL FACT SHEET FOR LOCAL GOVERNMENTS PUBLIC ASSISTANCE PROGRAM**

As the result of a major disaster declaration by the President, the Federal Emergency Management Agency (FEMA) may provide assistance to State and local governments for costs associated with debris removal operations. Debris removal operations include collection, pick-up, hauling, and disposal of debris at a temporary site, as well as segregation, reduction, and final disposal. Funding is available under the Public Assistance Program. This document provides guidance regarding the eligibility of debris removal operations for Public Assistance funding.

**Questions:** Questions regarding debris removal operations under the Public Assistance Program should be referred to Mr. Alan Prenger, State Emergency Management Agency, at 573-526-9114.

**General Work Eligibility:** The removal and disposal of disaster-related debris from public property is eligible for Federal assistance. Public property includes roads, streets, and publicly owned facilities. Removal of debris from parks and recreation areas is eligible when it affects public health and safety, or limits the use of those facilities.

**Debris Removal from Private Property:** The cost to remove disaster related debris from private property may be reimbursed to an eligible applicant if the operation is pre-approved by the Federal Disaster Recovery Manager and if the debris is a health and safety hazard. The work must be performed by an eligible applicant, such as a municipal or county government, and be the legal responsibility of that applicant. Removal of debris by private individuals is not eligible for Federal reimbursement; however, debris may be moved to the curb-side for pick-up by an eligible applicant.

**Eligible Costs:** If an applicant uses its own personnel and equipment to remove debris, which is known as force-account work, the cost of the equipment and overtime costs for personnel are eligible for Federal funding. If an applicant chooses to award a contract(s) for debris operations, the costs of the contracts also are eligible for Federal funding. Applicants should exercise judicious care in contracting for debris operations, since by law, FEMA is authorized only to assist with reasonable costs. Reasonable costs are those that are fair and equitable for the type of work performed. If desired, FEMA staff will review debris removal contracts for reasonableness prior to contract award.

**Direct Federal Assistance:** If the magnitude of debris operations is beyond the capability of State and local resources, the State may request direct Federal assistance. In such instances, FEMA will give to the U.S. Army Corps of Engineers a mission assignment to prepare, execute, and monitor contracts for debris operations.

**Use of Contractors:** If an applicant decides to award contracts to remove debris, FEMA advises the following:

- Utilize pre-negotiated contracts if possible;
- Give preference to local contractors over out-of-town contractors;
- Utilize formal competitive procedures when time permits;
- Obtain informal bids (such as by telephone) from several contractors, if time does not permit the use of formal competitive procedures;
- If the contractor is not known, request copies of references, licenses, and financial records; and,
- Document procedures used to obtain contractors.

There are various types of contracts that may be used for debris removal operations. Understanding the different types of contracts will reduce potential problems.

**Time and Materials Contracts:** Time and materials contracts may be used for short periods of time immediately after the disaster to mobilize contractors for emergency removal efforts. They must have a dollar ceiling or a not-to-exceed limit for hours (or both), and should be terminated immediately when this limit is

reached. Such contracts should be limited to 70 hours of actual work. The contract should include references to the following:

- Price for equipment applies only when equipment is operating.
- Hourly rate includes operator, fuel, maintenance, and repair.
- The community reserves the right to terminate the contract at its convenience.
- The community does not guarantee a minimum number of hours.

**Unit Price Contracts:** Unit prices should be based on the weight (tonnage) or volume (cubic yards) of debris hauled, and should be used when the scope-of-work is not well defined. This type of contract requires detailed monitoring of pick-up, hauling, and dumping to ensure that quantities are accurate. Unit price contracts may be complicated by the need to segregate debris for disposal.

**Lump Sum Contracts:** This type of contract establishes the total contract price using a one-item bid from the contractor. It is used when the scope of work is clearly defined, with areas of work and quantities of material clearly identified. Lump-sum contracts can be defined in one of two ways:

- Area Method: The scope of work is based on one-time clearance of a specified area. Controls are necessary to ensure that additional material is not brought into the area.
- Pass Method: The scope of work is based on a certain number of passes through a specified area, such as a given distance along a right-of-way. The contract should specify how the debris is to be sorted, identify specific roads and streets to be covered, the time intervals between passes, and the required time frame for completing a pass.

**Ineligible Contracts:** FEMA will not provide assistance for two types of contracts: cost-plus percentage of cost contracts and contracts that are contingent upon receiving State or Federal disaster assistance funding.

**Monitoring Contractors:** The formal monitoring of contractor activities is necessary to ensure satisfactory performance. Monitoring includes the following:

- Verification that all debris picked-up is a direct result of the disaster
- Truck-by-truck inspection to ensure that trucks are fully-loaded
- On-site monitoring of pick-up areas, temporary sites, and disposal areas
- Verification that the contractor is working in its assigned contract areas
- Access control and security of all debris reduction and disposal sites

FEMA can provide assistance with monitoring if necessary. If an applicant has insufficient staff to properly monitor debris contract operations, the cost of hiring additional staff for monitoring (or contracting for monitoring) is eligible for Federal funding.

**Documentation:** To ensure that processing of Federal funding is done as quickly as possible, applicants should keep the following information: debris estimates, procurement information (bid requests, bid tabulations, etc.), contracts, invoices, and monitoring information (load tickets, scale records). If an applicant does debris removal, the payroll and equipment hours must be documented.

### **Technical Assistance**

FEMA and the State may provide technical assistance with planning, carrying out, and monitoring of debris removal operations. Applicants in need of technical assistance should contact the State Public Assistance Officer at the number given in the first paragraph.